

PTO/SB/21 (05-03)

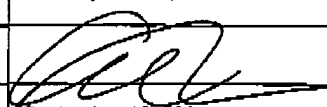
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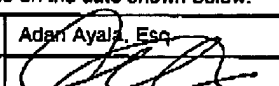
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/644,114	<b>RECEIVED CENTRAL FAX CENTER SEP 16 2004</b>
	Filing Date	August 20, 2003	
	First Named Inventor	James R. Parks et al.	
	Art Unit	3724	
	Examiner Name	S. Chol	
Total Number of Pages in This Submission		Attorney Docket Number	TN-1983

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Response to Restriction Requirement</b>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Adan Ayala, Esq.
Signature	
Date	September 16, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Adan Ayala, Esq.	Date	September 16, 2004
Signature			

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Serial No. 10/644,114

Response to Restriction Req. mailed Aug. 31, 2004

UTILITY PATENT

B&D No. TN1983

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

In re application of: James R. PARKS et al.

SEP 16 2004

Serial No.: 10/644,114

Examiner: S. CHOI

Filed: August 20, 2003

Group Art Unit: 3724

For: BEVEL STOP MECHANISM FOR A MITER SAW

Assistant Commissioner for Patents

Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

I, Adan Ayala, PTO Reg. No. 38,373, hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 872-9306 on Sept. 16, 2004

  
Adan Ayala

Dear Sir:

This is in response to the Office Action mailed August 31, 2004.

The Examiner required the election of one of the following species: Species A (represented by FIGS. 3-5); Species B (described in page 10, lines 19-21); Species C (represented by FIGS. 6-9); Species D (represented by FIGS. 10-14) and Species E (represented by FIGS. 15-17).

Pending in the present application are Claims 1-13.

Applicants respectfully request that the Examiner reconsider the election requirement, and thus examine all species.

Serial No. 10/644,114

Response to Restriction Req. mailed Aug. 31, 2004

UTILITY PATENT

B&amp;D No. TN1983


Under the Patent Act and the rules of patent practice, if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it may include claims to distinct or independent inventions. MPEP § 803.

In the present case, examining all species together would not constitute a serious burden to the Examiner. As mentioned below, Applicants will elect Species C for examination. Accordingly, the Examiner will have to examine Claims 1-9 and 12-13. In other words, the Examiner will examine all but two of the pending claims. Applicants submit that the Examiner would not thus incur a serious burden. Therefore, no species should be restricted and should be examined together.

Nevertheless, the Examiner has advised Applicants that a response to the restriction requirement must include an identification of the species that is elected consonant with the requirement, and a listing of all claims readable thereon. Applicants hereby elect Species C, as designated by the Examiner. The claims readable upon Species C are Claims 1-9 and 12-13.

While no fee is believed to be due, the Commissioner is nevertheless authorized to charge payment of any fees due in processing this amendment, or credit any overpayment to Deposit Account No. 02-2548.

Respectfully submitted,



Adam Ayala

PTO Reg. No. 38,373

Attorney for Applicants

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